

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 302

September 30, 1996, 6:07 pm
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FY 97 OMNIBUS APPROPRIATIONS/Passage

SUBJECT: Omnibus Appropriations Bill for fiscal year 1997 . . . H.R. 4278. Passage.

ACTION: BILL PASSED, 84-15

SYNOPSIS: As introduced and passed, H.R. 4278, the Omnibus Appropriations Bill for fiscal year 1997, will provide funding for the six regular appropriations bills not yet signed into law for fiscal year 1997 (Defense, Labor-Health and Human Services-Education, Commerce-Justice-State-Judiciary, Interior, Treasury-Postal, and Foreign Operations). For non-defense, discretionary spending, the appropriators added an extra \$6.5 billion to meet partially President Clinton's demands for more spending (overall, the bill will still appropriate \$17 billion less for non-defense, discretionary accounts than the President wanted). The appropriators also added \$7 billion in offsets (\$2.9 billion in broadcast spectrum sales, \$3.1 billion from a one-time recapitalization of the Savings Association Insurance Fund, and \$1 billion from cutting defense), thereby staying on the path to a balanced budget in 7 years that has been set by this Congress. The bill includes additional spending for disaster relief, anti-terrorism efforts, and counter-drug programs. Finally, the bill will enact a modified version of the Illegal Immigration Reform Bill, banking regulatory relief provisions, and provisions to reimburse former White House Travel Office employees for legal expenses incurred after they were fired in order to make their jobs available for friends and family of the Clintons.

INITIATIVES (most of this funding is included in the totals for the appropriations bills listed below; part is additional funding for programs under appropriations bills already passed):

- \$1.146 billion will be provided for anti-terrorism, counterterrorism, and security funding;
- \$123 million will be provided for troop redeployment in Saudi Arabia;
- \$1.047 billion will be provided for disaster relief, including \$396.8 billion for hurricane and flood recovery (to respond to Hurricane Fran) and \$650 million for firefighting (to put out wildfires in western States); and
- \$8.8 billion will be provided for counter-drug efforts.

REGULAR APPROPRIATIONS BILLS:

- Defense Appropriations (see vote No. 200 for details on the Senate-passed bill): \$243.9 billion will be appropriated for the

(See other side)

YEAS (84)				NAYS (15)		NOT VOTING (1)	
Republican (38 or 73%)		Democrats (46 or 98%)		Republicans (14 or 27%)	Democrats (1 or 2%)	Republicans (1)	Democrats (0)
Abraham	Kassebaum	Akaka	Johnston	Ashcroft	Feingold	Campbell ³	
Bennett	Kempthorne	Baucus	Kennedy	Brown			
Bond	Lott	Biden	Kerrey	Burns			
Chafee	Lugar	Bingaman	Kerry	Coats			
Cochran	Mack	Boxer	Kohl	Faircloth			
Cohen	McConnell	Bradley	Lautenberg	Frahm			
Coverdell	Murkowski	Breaux	Leahy	Gramm			
Craig	Nickles	Bryan	Levin	Grams			
D'Amato	Pressler	Bumpers	Lieberman	Gregg			
DeWine	Roth	Byrd	Mikulski	Inhofe			
Domenici	Santorum	Conrad	Moseley-Braun	Kyl			
Frist	Shelby	Daschle	Moynihan	McCain			
Gorton	Simpson	Dodd	Murray	Specter			
Grassley	Smith	Dorgan	Nunn	Thomas			
Hatch	Snowe	Exon	Pell				
Hatfield	Stevens	Feinstein	Pryor				
Helms	Thompson	Ford	Reid				
Hutchison	Thurmond	Glenn	Robb				
Jeffords	Warner	Graham	Rockefeller				
		Harkin	Sarbanes				
		Heflin	Simon				
		Hollings	Wellstone				
		Inouye	Wyden				

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

military functions of the Department of Defense (\$9.3 billion more than requested); \$353 million will be provided for counterterrorism and force protection initiatives; \$300 million will be provided for defense support missions by the Coast Guard; and \$947 million be provided for counter-drug and drug interdiction operations; Military personnel: \$70.017 billion; a 3-percent pay raise will be provided, effective January 1, 1996; and a 4-percent increase in the basic allowance for quarters will be provided (1 percent more than requested); Operation and Maintenance: \$79.163 billion; an additional \$150 million will be transferred from the defense stockpile transaction fund; the Cooperative Threat Reduction Program, which promotes the dismantlement of nuclear weapons in the former Soviet Union, will be fully funded at \$328 million; a separate, \$1.14 billion account will be established to fund ongoing contingency operations; \$600 million more than requested will be provided to repair deteriorating barracks and similar facilities; and \$49 million will be appropriated for overseas humanitarian, disaster, and civic assistance (\$31.5 million less than requested); Procurement: \$43.815 billion (\$5.678 billion more than requested and \$254 million less than provided in FY 1996), including: \$1.041 billion for Army missile procurement (\$275 million more than requested); \$279 million for 6 F/A-18C/D fighters (the Administration did not request any of these fighters; see vote No. 197 for related debate); \$154.9 million for 6 F-16C/D fighters (see vote No. 199 for related debate); \$296.2 million for advance procurement of the first new attack submarine and \$501 million for advance procurement of the second new attack submarine; \$3.375 billion for 4 DDG-51 destroyers plus \$234.4 million for advance procurement; \$1.902 billion for 8 C-17 transport aircraft; and \$780 million for equipment for the Guards and Reserves; Research, development, test, and evaluation: \$37.441 billion, including: \$833 million (\$325 million more than requested) will be provided to accelerate the development of a national missile defense system; and \$50 million will be appropriated for the Kinetic Energy Anti-Satellite (KE-ASAT) Program; Miscellaneous: \$948 million will be provided for the Defense Business Operations Fund; \$1.428 billion will be provided for the National Defense Sealift Fund; \$807.8 million will be appropriated for drug interdiction and counterdrug activities; \$138 million will be provided for breast cancer research and \$45 million will be provided for prostate cancer research; and \$100 million will be provided to implement the Weapons of Mass Destruction Act (see vote No. 195 for related debate).

- Commerce-Justice-State-Judiciary Appropriations: \$30.182 billion in new budget authority will be provided (\$28.284 billion in appropriations, \$473.6 million in emergency appropriations, and \$4.525 billion from the Violent Crime Reduction Trust Fund); this total will include \$7.3 for billion anti-drug initiatives; Justice Department and related agencies, \$16.426 billion (including \$4.495 billion from the Violent Crime Reduction Trust Fund and \$250 million in emergency appropriations), including: \$2.838 billion for the Federal Bureau of Investigation; \$3.189 billion for the Federal prison system; \$3.1 billion for the Immigration and Naturalization Service (including funding for 2,700 additional detention cells for illegal aliens awaiting removal); and \$1.001 billion for the Drug Enforcement Agency; Commerce Department and related agencies, \$3.782 billion, including: \$588 million for the National Institute of Standards and Technology; \$225 for the Advanced Technology Program; \$348.5 million for the Economic Development Administration; and \$95 million for the Manufacturing Extension Program (Hollings Centers); Judiciary: \$3.262 billion; State Department and related agencies, \$5.075 billion, including: \$892 million for contributions for international organizations (United Nations); \$352.4 million for United Nations international peacekeeping; and \$41.5 million for the Arms Control and Disarmament Agency; and related agencies, \$1.541 billion, including \$283 million for the Legal Services Corporation (program restrictions imposed last year will continue); Violent Crime Reduction Trust Fund, \$4.529 billion (most of this funding will be on Justice Department programs), including: \$199 million for Byrne law enforcement formula grants (additionally, \$301 million will be appropriated for formula grants and \$60 million will be appropriated for Byrne discretionary grants); \$523 million for local law enforcement block grants; \$1.4 billion for community policing; \$670 million for State prison grants; and \$196.5 million for the programs of the Violence Against Women Act.

- Interior and Related Agencies Appropriations: \$13.147 billion will be provided (including \$715.3 million in emergency appropriations); Department of the Interior, \$6.177 billion, including: \$1.091 billion for the Bureau of Land Management, \$1.606 billion for the Bureau of Indian Affairs, \$1.414 billion for the National Park Service, and \$0 for the Bureau of Mines; and related agencies: Forest Service, \$2.361 billion; Fossil Energy Research and Development, \$364.7 million; Indian Health Service, \$2.054 billion; National Endowment for the Arts, \$99.5 million; and National Endowment for the Humanities, \$110 million.

- Labor, Health and Human Services, and Education: \$245.679 billion in new budget authority will be provided; with advance appropriations, a total of \$286.486 billion will be provided; Department of Labor and related agencies will receive \$8.744 billion (plus \$3.381 in trust funds), including: \$5.486 billion for training and employment services (plus \$3.139 billion in trust funds) and \$325.7 million for the Occupational Safety and Health Administration (OSHA); Department of Health and Human Services and related agencies will receive \$218.101 billion (plus \$30.099 billion in advance appropriations) including: \$163.125 billion for the Health Care Financing Administration (\$103.045 billion of that amount will be for Medicaid (counting advance appropriations)); \$32.862 billion for the Administration for Children and Families (\$16.876 billion of that amount will be for family support welfare payments to the States, \$3.807 billion will be for foster care, \$2.5 billion will be for Social Services Block Grants, and \$1.000 billion will be advance funding for the Low Income Home Energy Assistance Program (LIHEAP; another \$300 million remaining from a prior emergency allocation will remain available)); \$12.747 billion for the National Institutes of Health; \$3.405 billion for the Health Resources Services Administration (\$996 million of that amount will be for the Ryan White AIDS program and \$198.5 million will be for Title X family planning); \$2.134 billion for substance abuse and mental health programs; and \$2.303 billion for the Centers

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for Disease Control; the Department of Education and related agencies will receive \$28.797 billion, including: \$7.669 for education for the disadvantaged; \$491 million for the Goals 2000: Educate America Act; \$200 million for the School-to-Work initiative; and \$7.660 billion for student college financial assistance (the maximum Pell grant will rise to \$2,700); and related agencies: \$30.874 billion (counting advance funding) including \$19.547 billion in current funding and \$9.690 billion in advance funding for the Supplemental Security Income Program.

- Foreign Operations Appropriations (see vote No. 248 for the Senate-passed bill): \$12.188 billion will be appropriated; export and investment assistance, \$634.63 million; bilateral economic assistance, \$7.276 billion, including: \$2.015 billion for Camp David countries (\$1.2 billion for Israel and \$815 million for Egypt); \$1.051 billion for programs administered by the State Department (including \$213 million for international narcotics control); \$625 million for the New Independent States (NIS) of the former Soviet Union; \$475 million for Eastern Europe and the Baltic States; and \$208 million for the Peace Corps; military assistance, \$3.101 billion (net), including: \$1.8 billion for Israel and \$1.3 billion for Egypt; Title IV, multilateral assistance, \$1.156 billion (\$601.7 million less than requested), including \$985.0 in contributions to international financial institutions and \$170 million for U.S. Voluntary Contributions to International Organizations and Programs (the United Nations); aid to the United Nations Population Fund will be restricted.

- Treasury-Postal Appropriations: \$24.1 billion in new budget authority (BA) will be provided for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies; Treasury law enforcement funding will be increased to \$3.4 billion (a \$222 million increase); anti-child pornography laws will be strengthened; the White House will be prohibited from requesting background checks without the request of those people being checked; reimbursement will be provided for Mr. Dale and other former employees of the White House Travel Office; and the Federal Government will not pay for abortion coverage as an employee health fringe benefit.

IMMIGRATION

- Border control and interior enforcement: the Border Patrol will be doubled by hiring at least 1,000 new agents for each of the next 5 years and by allowing the hiring of 300 support personnel for each of the next 5 years; the INS will be authorized to hire 300 additional investigators and support personnel for handling cases of aliens who have entered the country legally and then have overstayed their visas; and detention space for illegal aliens will be increased by at least 9,000 beds (a 66-percent increase).

- Pilot projects for employment verification (see vote No. 101 for related debate): 3 programs will be authorized, each of which will last for 4 years; the basic program will have participating employers submit information on new hires to the Immigration and Nationalization Service (INS) which will determine their eligibility for employment; this provision will not be construed as authorizing the INS to establish a national identification card for Americans; a citizen attestation pilot program will be implemented in States that have identification documents sufficiently resistant to fraudulent use; confirmation of citizenship will not be required of individuals with such documents who attest to their citizenship; and a machine-readable document pilot program will be implemented.

- Strengthening existing verification procedures: the list of acceptable employment verification documents will be reduced, and the Attorney General will be given authority to further reduce it; Federal standards will be developed for birth certificates and drivers' licenses that will have to be met before those documents will be accepted by Federal, State, or local agencies as valid identification documents; and grants will be given to States to facilitate the development of systems for matching birth and death records.

- Alien smuggling and document fraud: wiretap authority will be authorized for investigations of alien smuggling and document fraud; certain alien smuggling and document fraud offenses will be covered under the Racketeer-Influenced and Corrupt Organizations (RICO) statute; criminal penalties for alien smuggling and harboring will be increased; and penalties will be increased for the fraudulent use of government-issued documents.

- Exclusion and deportation: an immigration officer will have authority to order an alien arriving in the United States to be removed if he or she determines the alien is inadmissible; that order will not be reviewable unless an alien asserts a credible fear of persecution or otherwise seeks asylum, in which case an asylum officer will review the case; an alien may seek limited direct review only before an immigration judge of an asylum officer's decision; and review will be completed within 7 days.

- Parole: the Attorney General is currently allowed based on "emergent reasons" and "reasons deemed strictly in the public interest" to admit aliens who are statutorily not admissible by giving them "parole"; this bill will limit that authority by changing the criteria for granting parole to "only on a case-by-case basis for urgent humanitarian reasons or significant public benefit."

- Asylum: time limits will be placed on asylum claims; asylum applicants may be denied authorization to work in the United States; and the Cuban Adjustment Act will remain in force until such time as a democratically elected government is in power in Cuba (see vote No. 91).

- Welfare limitations for legal and illegal immigrants: illegal aliens will be ineligible for Social Security, welfare, public housing, and higher education benefits, with exceptions for emergency medical and nutrition assistance; Federal, State, and local governments will be responsible for determining the eligibility of aliens to receive benefits from nonprofit charities; the Federal Government will pay all the medical costs of HIV-infected illegal immigrants (this provision was insisted upon by the Clinton Administration); States will be reimbursed for the cost of providing emergency medical benefits to illegal aliens; a sponsor's affidavit of support will be legally enforceable until the alien has worked 40 Social Security quarters (10 years) in the United States; sponsors will need to have

incomes equal to or greater than 125 percent of the poverty level in order to bring relatives into the United States (people at such income levels qualify for food stamps and Supplemental Security Income benefits; this change was insisted on by the Clinton Administration; under this provision, people who themselves are public charges will be allowed to promise that they will use their income to make sure that the people they sponsor will never become public charges).

BANKING

- A one-time assessment will be placed on Savings Association Insurance Fund (SAIF) deposits in order to capitalize adequately the SAIF, which will result in \$3.1 billion in Federal receipts in fiscal year 1997.
- Banks' regulatory burden will be reduced, lender liability relief will be provided, and the growth cap on "non-bank banks" will be raised.
- Mortgage lending reporting requirements will be simplified.
- The application process for non-bank holding companies to engage in certain permissible activities will be streamlined.
- Actual management by a bank of a property will have to have existed for it to be liable under the environmental laws.
- Retirement certificates of deposit will not be covered by Federal deposit insurance.

Those favoring passage contended:

Throughout September, during which time Congress normally finishes most of the appropriations bills, Democratic Senators stalled the consideration of the remaining bills to be considered by offering numerous non-germane amendments when those bills were brought to the floor. This action led to Congress putting all the remaining bills into this one omnibus bill, the details of which it carefully negotiated ahead of time with the Clinton Administration in order to avoid a veto that would shut down the Government. The President wanted to spend more money; additional spending was added, but offsets were then also added, thereby keeping Congress on its path to balance the budget in 7 years. We do not think Democratic Senators should have forced us into this process because it has deprived us of our right, and duty, to debate and to amend these appropriations bills individually. Further, we think it was constitutionally questionable to allow the President to be so integrally involved in the drafting of this omnibus bill. Overall, though, we are pleased with the priorities in this legislation. Most of the funding initiatives are for proposals that Republicans traditionally have supported, such as the proposals for increased law enforcement funding. In this election year, President Clinton has suddenly discovered a new appreciation for conservative principles, so it was much easier arriving at compromise solutions this year than it was last year. We urge our colleagues to vote for passage.

Those opposing passage contended:

We appreciate the need for considering this omnibus bill, but we note that Senators have taken advantage of this abbreviated appropriations process to add items to this bill that we believe are for unjustified, porkbarrel projects. In protest, we will vote against passage.